

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

GEVORK GRIGORYAN,
Plaintiff,

V.

EXPERIAN INFORMATION
SOLUTIONS, INC., et al.,

Defendants.

No. CV 13-7450-MMM (PLAx)

**MEMORANDUM AND ORDER RE:
PARTIES' PROPOSED STIPULATED
PROTECTIVE ORDER**

The Court has received and considered the parties' proposed Stipulated Protective Order ("Protective Order"). The Court is unable to adopt the Protective Order as stipulated to by the parties for the followings reasons:

First, if confidential material is included in any papers to be filed in Court, such papers shall be accompanied by an application to file the papers -- or the confidential portion thereof -- under seal; **the application must show good cause for the under seal filing.** (See pages 1-2, at ¶ 4). The application shall be directed to the judge to whom the papers are directed. Pending the ruling on the application, the papers or portions thereof subject to the sealing application shall be lodged under seal.

/

1 Second, in the event of a dispute regarding the designation or disclosure of confidential
2 information, the procedure for obtaining a decision from the Court is that set forth in the entirety
3 of Local Rule 37, not just Local Rule 37-1. (See page 4, at ¶ 13). If the parties want to file the
4 Joint Stipulation required by Local Rule 37 under seal, the parties may file a stipulation to that
5 effect or the moving party may file an ex parte application making the appropriate request. The
6 parties must set forth good cause in the stipulation or ex parte application as to why the Joint
7 Stipulation or portions thereof should be filed under seal.

8 Third, once a case proceeds to trial, all of the information that was designated as
9 confidential and/or kept and maintained pursuant to the terms of a protective order becomes public
10 and will be presumptively available to all members of the public, including the press, unless good
11 cause is shown to the district judge in advance of the trial to proceed otherwise. The Court will
12 not enter a protective order that extends beyond the commencement of trial.

13 Finally, the Court may only enter a protective order upon a showing of good cause. Phillips
14 v. G.M. Corp., 307 F.3d 1206, 1209 (9th Cir. 2002) (Rule 26(c) requires a showing of “good cause”
15 for a protective order); Makar-Wellbon v. Sony Electronics, Inc., 187 F.R.D. 576, 577 (E.D.Wis.
16 1999) (even stipulated protective orders require good cause showing). The parties’ stipulation fails
17 to include any statements to demonstrate good cause for issuing the protective order. In any
18 revised stipulated protective order submitted to the Court, the parties must include a statement
19 demonstrating good cause for entry of a protective order pertaining to the documents or
20 information described in the order. The paragraph containing the statement of good cause should
21 be preceded by a heading stating: “GOOD CAUSE STATEMENT.”

22
23
24 DATED: March 3, 2014



PAUL L. ABRAMS
UNITED STATES MAGISTRATE JUDGE